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Counsel for Defendants

SONY CORPORATION, SONY ELECTRONICS INC.,

and SONY ENERGY DEVICES CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE: LITHIUM ION BATTERY  
ANTITRUST LITIGATION

Master File No. 4:13-md-02420-YGR (DMR)  
MDL No. 2420

This document is related to:

Case No. ~~2:15-cv-1038~~  
4:15-cv-3443-YGR

MICROSOFT MOBILE, INC., et al.

Plaintiffs,

vs.

LG CHEM AMERICA, INC., et al.

Defendants.

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING SERVICE OF  
SUMMONS AND COMPLAINT**

1 Plaintiffs Microsoft Mobile Inc. and Microsoft Mobile Oy (collectively, “Microsoft  
 2 Mobile” or the “Microsoft Mobile Plaintiffs”) and defendants LG Chem America, Inc., LG Chem,  
 3 Ltd., Panasonic Corporation, Panasonic Corporation of North America, Samsung SDI America,  
 4 Inc., Samsung SDI Co., Ltd., Sanyo Electric Co. Ltd., Sanyo North America Corporation, Sony  
 5 Corporation, Sony Electronics Inc., and Sony Energy Devices Corporation (collectively,  
 6 “Defendants”), by and through their undersigned counsel, stipulate and agree, as follows:

7 1. The undersigned Defendants, including all domestic Defendants and all foreign  
 8 Defendants, waive service of the summons and the complaint filed by Microsoft Mobile in this  
 9 action on June 26, 2015 (“Microsoft Mobile’s Complaint”) pursuant to Federal Rule of Civil  
 10 Procedure 4(d). All Defendants preserve all other defenses under the Federal Rules of Civil  
 11 Procedure, including potential Rule 12 motions and motions to compel arbitration.

12 2. Within 21 days of the date on which this stipulation is entered as an Order of the  
 13 Court, or alternatively, seven days after the date by which the parties stipulate to and the Court  
 14 enters an appropriate protective order in this action, whichever is later, all Defendants shall  
 15 produce to Microsoft Mobile the documents that Defendants produced to the United States  
 16 Department of Justice (“DOJ”) in response to subpoenas issued by DOJ regarding secondary  
 17 batteries, and that were also produced to class plaintiffs in this consolidated action. Microsoft  
 18 Mobile and Defendants agree to reasonably expedite the entry of an appropriate protective order  
 19 in this action. Defendants do not waive any defenses by producing these documents to Microsoft  
 20 Mobile, including the right to compel arbitration.

21 3. All Defendants shall respond to Microsoft Mobile’s Complaint within ninety (90)  
 22 days from the date on which this stipulation is entered as an Order of the Court.

23 4. All Defendants and the Microsoft Mobile Plaintiffs agree to waive the production  
 24 of initial disclosures in this action.

25 **IT IS SO STIPULATED.**

26 ///

27 ///

28 ///

1 Dated: August 11, 2015

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11 Dated: August 11, 2015

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### **ATTESTATION**

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from each of the other signatories thereto.

Dated: August 11, 2015


By: /s/ John Dwyer  
John Dwyer

### **ORDER**

This Order terminates Docket Number 776.

**IT IS SO ORDERED.**

Dated: August 12, 2015

  
The Honorable Yvonne Gonzalez Rogers  
United States District Judge

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